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8 *Attorney for Defendant*

9
10 IN THE UNITED STATES DISTRICT COURT
11
12 FOR THE DISTRICT OF ARIZONA

13 United States of America,

14 Plaintiff,

15 vs.

16 David Allen Harbour,

17 Defendant.

Case No. CR-19-00898-PHX-DLR (DMF)

**EXPEDITED MOTION TO
CONTINUE REVOCATION
HEARING SCHEDULED FOR
TUESDAY, DECEMBER 21 AT 2:30
P.M.**

18 Defendant David Allen Harbour, by and through undersigned counsel, hereby files his
19 expedited motion requesting that that the Court continue the Revocation hearing currently
20 scheduled for Tuesday, December 21 at 2:30 p.m. (today) in front of Judge Fine.

21 The government provided counsel for Defendant with Discovery/Disclosure 12 at
22 approximately 6:49 p.m. on Monday, December 20, 2021. Counsel was unable to access it
until this morning, because the government sent it to her assistant's USAfx account, and not

1 counsel's. All of the discovery is related to the issues surrounding Mr. Harbour's potential
2 revocation.

3 The discovery consists of 167,007 KB of information. Some of the discovery includes
4 Pen Register Trap and Trace Records from Verizon from Mr. Harbour's phone, which will
5 take some time to digest. Counsel for Defendant, who is relatively new to the case, and
6 certainly has not mastered the facts, needs the additional time to review the discovery herself,
7 and review the discovery with Mr. Harbour, who is in custody at CCA. The government has
8 also advised that it intends to file a supplemental Petition. Mr. Harbour is currently in
9 quarantine at CCA. As such, Defendant would request a 7-10 day extension of time.
10 Undersigned has consulted with counsel for the government, who has advised they have no
11 objection.

12 RESPECTFULLY SUBMITTED this 21st day of December, 2021.

13 **ADAMS & ASSOCIATES, PLC**

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15 By: /s/ Ashley Adams
Ashley D. Adams
Attorneys for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2021, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing.

Kevin M. Rapp
Coleen Schoch
U.S. Attorney's Office
40 N. Central Ave., Suite 1800
Phoenix, AZ 85004
Attorneys for Plaintiff

/s/Kathy Taylor
Paralegal to Ashley D. Adams